

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNIVERSAL DELAWARE, INC., et al., on behalf of themselves and all others similarly situated, Plaintiffs,	:	
	:	
v.	:	CIVIL ACTION
	:	
COMDATA CORPORATION, et al.,	:	
Defendants.	:	No. 07-1078
	:	

ORDER

AND NOW, this 31st day of March, 2010, upon consideration of the Plaintiffs' Motion to Compel Third Party, Ceridian Corporation ("Ceridian"), to Comply With Subpoena and Produce Responsive Electronically Stored Information ("ESI") (Docket No. 90), Ceridian's Response to the Motion (Dkt. No. 98), Plaintiffs' Reply Memorandum of Law (Dkt. No. 106), Ceridian's Estimate and Summary of Incurred and Anticipated Discovery-Related Expenses (Dkt. No. 111), and Plaintiffs' Reply Brief in Further Support of their Motion to Compel and in Response to Ceridian's Submitted Cost Summary (Dkt. No. 114), and for the reasons set forth in the accompanying Memorandum,

IT IS ORDERED that Plaintiffs' Motion is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiffs and Ceridian shall accomplish the following actions within sixty (60) days following this Order:

1. Plaintiffs shall pay \$4,085 to Kroll Ontrack for processing the .tiff images from back-up tapes of Ceridian's four custodians.¹ Ceridian shall execute any paperwork required by Kroll Ontrack for this processing;

2. Ceridian shall direct Kroll Ontrack to create a separate database comprised of the .tiffed images of documents from the four custodians;

3. Plaintiffs and Ceridian are each 50% responsible for the cost to create the separate database, estimated by Mr. Joel Bothof of Kroll Ontrack to be approximately \$17,334 + shipping pass-through costs, and payment shall be made directly to Kroll Ontrack for this database;

4. Kroll Ontrack shall execute a search of the new database using previously agreed-upon search terms, and ;

5. Counsel for Ceridian shall conduct a privilege review of the documents resulting from Kroll Ontrack's database search, and Ceridian shall solely bear the costs of this privilege review;

6. Ceridian shall produce to Plaintiffs the responsive documents and a detailed privilege log for any documents withheld on the basis of privilege.

IT IS FURTHER ORDERED that counsel for Plaintiffs and

¹ The parties previously agreed to excise Ceridian's general counsel from the custodians.

Ceridian shall provide a status report to the Court of their progress in accomplishing this first step of document production sixty (60) days following this Order.

BY THE COURT:

/s/ Henry S. Perkin

HENRY S. PERKIN

UNITED STATES MAGISTRATE JUDGE